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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 DALLAS WOLL,

12 Plaintiff,

13 v.
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15 COUNTY OF LAKE, MARY JANE
FIGALDE, and HENRY BOUILLERCE, et al.,

16
17 Defendants.
18 _____/

Case No. CV 07 6299 BZ ENE
(Unlimited Civil Case)
Hon. Magistrate Bernard Zimmerman

**[PROPOSED] ORDER GRANTING
DEFENDANT COUNTY OF LAKE'S
MOTION FOR SUMMARY JUDGMENT
OR IN THE ALTERNATIVE, SUMMARY
ADJUDICATION**

Date: October 22, 2008
Time: 10:00 a.m.
Courtroom G, 15th Floor
Trial Date: December 15, 2008

19 This matter came on regularly for hearing on October 22, 2008, the Honorable Magistrate
20 Bernard Zimmerman, Judge presiding. Moving party, COUNTY OF LAKE, appeared by and
21 through their counsel of record, Kelly, Jackson & Christianson, LLP. Plaintiff, DALLAS WOLL,
22 appeared by and through his counsel, Frear Stephen Schmid.

23 The Court, after consideration of the papers and evidence filed in support of and opposition to
24 defendant, County of Lake's Motion for Summary Judgment, or in the Alternative, Summary
25 Adjudication, and after hearing the oral argument of the parties, and good cause appearing therefor;

26 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants' Motion for
27 Summary Judgment is granted as plaintiff has failed to state a claim for any violation of 42 U.S.C.
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§1983 because plaintiff was afforded due process and cannot state a claim under the Fifth, Ninth and/or Fourteenth Amendments to the U.S. Constitution and because plaintiff did not suffer unreasonable search or seizure and cannot state a claim under the Fourth Amendment to the U.S. Constitution and because plaintiff was not deprived of his right to petition and cannot state a claim under the First Amendment to the U.S. Constitution.

Dated: _____, 2008

Bernard Zimmerman
Magistrate Judge of the United States District Court